

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned ☐ U.S. vs. **8510**

OTHER MINOR OFFENSE MO ☐ **1085 4** Dis./Sentence **7-23-76**

OTHER MISDEMEANOR Mis ☐ **1085 4** District Office **7-23-76**

FELONY Fel ☒ **1085 4** (LAST, FIRST, MIDDLE) **583-2088**

BUTLER, ANDRE MAURICE (24) (Bond)

~~520 East Ute~~ **6221 N. Boulder**

Tulsa, Okla. 74106

JUVENILE

Case Filed
Mo. Day

04 29

No. of Def's
* 1

76-CR-54

1

U.S. MAG. CASE NO. **76-49M**

BAIL • RELEASE

☐ Denied ☐ AMT ☐ Fugitive
☐ Set ☐ Pers. Recog.

\$ **5,000** conditions

Date **4-22-76** ☐ 10% Deposit
☐ Surety Bond/C

☒ Bail Not Made ☐ Collateral
☐ Status Changed (See Docket) ☐ 3rd Prty Cust ☐ Other

U.S. TITLE/SECTION

18:472

OFFENSES CHARGED

Altering Federal Reserve Note
(\$5,000 and/or 15 years)

ORIGINAL COUNTS

1

SUPERSEDING
COUNTS

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 4-22-76	High Risk Date 4-29-76	1st Plea 5-5-76	Trial Set For 6-21-76	Voir Dire 6-21-76
Summons Served	Indict. Waived <input type="checkbox"/>	Final Plea 5-5-76	Trial Began 6-21	Disposition of Charges <input checked="" type="checkbox"/> Convicted
First Appearance	In Charging District	Superseding Indict/Info <input checked="" type="checkbox"/>	Trial Ended 6-22	<input type="checkbox"/> On All Charges
				<input type="checkbox"/> On Lesser * Offense(s)
				<input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP
				<input type="checkbox"/> On Governm'ts Motion

MAGISTRATE

DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
4-22-76	MLB/850A	4-22-76	MLB/850a	<input type="checkbox"/> DISMISSED
4-22-76	MLB/850A	4-30-76		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
OFFENSE (In Complaint)	Altering Federal Reserve Note in denomination of \$1.00			<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:

U.S. Attorney or Asst.

ATTORNEYS

Defense ☒ CJA ☐ Ret: ☐ Waived ☐ Self ☐ None / Other: ☐ PD ☐ CD

Ben F. Baker, Ass't.

David L. Peterson PH: 582-8850

424 Beacon Bldg.

Tulsa, Okla. 74103

* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
1976 4-22		Deft. appeared before MLB, Mag. for initial hearing. Bail set, preliminary hearing set and counsel apptd. Deft. remanded to custody of U. S. Marshal in lieu of bond.	
4-29 4-29		Record vote of the Grand Jury, filed in open court. hm Indictment, filed in open court. hm	
4-29		Magistrate's papers, filed, including information sheet, complaint, AO 257, waiver of counsel, return on warrant of arrest, financial affidavit & apptmt. of counsel. hm	
4-29		MO: Case set for arraignment and plea 5-5-76 at 10:00 a.m.; deft. given 10 days to file motions; govt. 5 days thereafter to respond. (HDC-J)hm	

DATE	76-CR-54 (Andre Maurice Butler) (DOCUMENT NO.)	IV. PROCEEDINGS (continued)	PAGE TWO	V. EXCLUDABLE DELAY			
				Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)
1976							
5-5	MO: Case called for arraignment & Plea. Deft. present and rep., govt rep. Deft. ack. receipt of indictment & is arraigned and enters plea of NOT GUILTY. Deft. given to 5-9-76 to file motions; pltf. 5 days to respond. PT conf. set for 6-9-76 in afternoon; parties to be notified of exact time. Case set for Jury Trial for 6-21-76 at 9:30 a.m. Deft. remanded to US Marshal. (HDC-J)ph						
5-10	Motion of def. to limit cross-examination, filed. rm						
5-10	Brief in support of mo/limit cross-exam., filed. rm						
5-11	MO: Case set for hearing on deft's mo/limit cross-examination 6-4-76 at 9:00 a.m. (HDC-J)hm (notices mailed)						
5-12	Pltf's response to deft's mo/limit cross-examination, filed. hm			3	5-12-76	E	
5-13	MO: Case set for PT hearing 6-9-76 at 4:40 p.m. (HDC-J)hm						
5-17	Motion of def. to reconsider conditions of bond, filed. rm						
5-18	MO: Case reset for hearing on deft's mo/limit cross-examination and deft's mo/reconsider conditions of bond on 5-24-76 at 4:00 p.m. (HDC-J)hm (notices mailed)						
5-19	Brief in support of deft's mo/reconsider conditions of release, filed. hm						
5-24	Case called for hearing on defts. mo/limit cross-examination and for deft's mo/reconsider conditions of bond. Deft. present and represented; govt. represented. Statements made. Mo/limit cross exam. overruled and mo/reduction of bond taken under advisement. (HDC-J)hm						
5-26	Order, filed that motion to reconsider conditions of release of deft. is overruled. (HDC-J)ph cps mld						
5-27	Order, filed, denying deft's motion to limit cross examination. (HDC-J)ph cps mld			3	5-27-76	E	16
5-27	Appearance bond of Andre Maurice Butler in the amount of \$5,000 Surety Bond by Midland Ins. Co. (CSB-Mag.)ph						
5-27	Order specifying methods and conditions of release, filed. ph						
6-9	MO: PT hearing held. Deft. not pres, but rep.; govt. represented. Parties announce case will go to trial. (EST- ½ day). Parties to inform Court if they desire to waive jury. (HDC-J)hm						
6-18	Def. requested voir dire, filed. rm						

FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

For Identifying
Periods of Excludable
Delay Per 18
U.S.C. 3161(h)A. Examination or
hearing for
mental or
physical in-
capacity (18
U.S.C. 4244).B. NARA Examination (28
U.S.C. 2902).C. State or Federal
trials on other
charges.D. Interlocutory
Appeals.E. Hearings on
pretrial motions.F. Transfers from
other districts
(per F.R.Cr.P.
Rules 20, 21
& 40).G. Defendant Motion
is actually
under advisement.
Period of
up to 30 days
is excludable
per
3161(h) (1) (G).H. Miscellaneous
Proceedings:
Probation or
Parole revocation,
Deportation,
Extradition.I. Prosecution deferred by
mutual agreement.M. Unavailability
of defendant or
essential witness.N. Period of mental or physical
incompetence
of defendant to
stand trial.O. Period of
NARA Commitment or
Treatment.P. Superseding
indictment
and/or new
charges.R. Defendant
awaiting trial
of Co-defendant when no
severance has
been granted.T. Continuances
Granted per
3161(h) (8)
(i.e. ends of
justice or complexity of case
outweighs defendants'
interests).U. Time between
guilty plea and
plea withdrawal.W. Grand Jury indictment
extended per
3161 (b).

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
6-22-76	Memorandum opposing pltf. use of other alleged offenses by def., filed. rm				
6-22-76	Subpoena, ret. & filed: served Celestine Speed on 6-17-76. g				
6-21	Case called for jury trial. Deft. present & represented; govt. represented. Trial held June 21 & 22. Prior to trial, deft. announces in chambers he wants a different atty & a continuance. Govt. objects to both. Court denies mo/continuance & for change of counsel. In open court, upon request of govt. counsel, Court admonishes persons who allegedly made threats to certain witness. Parties announce ready. Jury empaneled, admonished & sworn. Rule invoked. Opening statements made. Pltf. presents case in chief w/test. of witnesses. Pltf's ex. #1 admitted. Pltf. rests. Deft. renews mo/limit cross-examination & motion granted. Deft. presents case in chief w/test. of witness & rests. On 6-22-76, hearing held out of hearing of jury re deft's memorandum opposing pltf's use of other alleged offenses. Statements made. Court sustains deft's motion. Trial continues on 6-22 w/pltf. presenting rebuttal evidence & resting. Parties rest. Deft's mo/ judgment of acquittal overruled. Closing arguments made. Court instructs the jury. Jury retires to deliberate at 10:37 a.m. on 6-22. Jury returns w/verdict finding deft. GUILTY as charged at 1:35 p.m. Verdict ordered received, read & filed in open court. Jury discharged. Sentence set 7-23-76 at 1:00 p.m. Govt. allowed to withdraw ex. #1 & substitute copy. Deft. allowed to stand on present bond. (HDC-J)hm				
6-22	Trial exhibit, filed. (with file)				
6-22	Instructions to the jury, filed in open court. (HDC-J)hm				
6-22	Verdict, filed and entered, finding the deft. GUILTY as charged. hm				
7-23	Deft's notice of decision not to appeal, filed. ph				
7-23	Case called for sentence. Deft. present & rep.; govt. rep. Deft. & counsel asked if they care to say anything before sent. is pronounced. Judgment and Sentence - <u>Andre Maurice Butler</u> (24) Imp. of sentence is hereby suspended & the deft. placed on probation for a period of Three (3) Years from this date. Deft. advised of right to appeal. Deft. to file applic. to transfer supervision of probation to Kans. City, & Court will make determination. (HDC-J)hm				
7-23	Judgment & order of probation, filed & entered. (HDC-J)hm				
7-23	Two c/c of J&Oof P delivered to Prob. office. hm				
1-7-77	Application for Court to issue warrant of arrest for deft., w/order granting applic., filed. (HDC-J)hm				
1-7	Warrant of arrest issued. sk (2 c/c to U.S. Marshal)				
1-12	Case called for revocation of probation. Deft. present & rep.; govt. rep. Report made by prob. officer				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.) Jerry Baines. Statements made by deft. counsel & deft. Court declines revocation of probation, but modifies probation with following conditions: usual conditions of probation, plus participate in a drug program as directed by the U.S. Prob. office having supervisory responsibility, & so participate in the drug abuse program as the U.S. Prob. office deems necessary; having enrolled in a community college in K.C., Mo., shall pursue successfully & diligently the courses in that college consistent with his financial ability to do so; seek & find gainful employment, & if employment is not obtained within 30 days, reports shall be made to he prob. office of contacts & efforts made to obtain employment, & said reports shall be specific. (HDC-J)hm				
1-12	Order, filed and entered, reflecting above modifications of probation.				
1-12	Two c/c of Order delivered to Prob. office. hm <i>4/1 to USM</i>				
1-13	Deft's waiver of preliminary hearing before Magistrate, filed. ph				
1-19	Return on Warrant of Arrest, fld. Rec'd on 1-18-77 and subject reported in on 1-12-77 and was placed on probation by Judge Cook. v				
9-19-77	Application and ORDER for issuance of a bench warrant for the arrest of deft., Andre Maurice Butler, fld. (HDC-J)v -w/i				
9-30-77	Mag. papers received from USDC for the Western Dist. of Missouri, fld. initial appearance 9-23-77 Deft. comitted to USM. ho				
9-30	MO: Case set for revocation of probation hrg. 10-7-77 at 11:00 a.m. (HDC-J)hm (notices mailed)				
10-7	Case called for hrg. on rev. of prob. Deft. present & rep.; govt. rep. Jerry, Baines, Prob. officer, makes oral report. Statements made by counsel & deft. Exhibits offered & received into evid. Court states probation shall be revoked. Sentence set 10-27-77 at 1:30 p.m., but sent. date to be extended if necessary. (HDC-J)hm				
10-27	Case called for sentence after revocation of probation. Deft. present & rep. Govt. rep. Deft. & counsel asked if they care to say anything before sent. is pronounced. Judgment and Sentence - ANDRE MAURICE BUTLER Probation revoked & deft. sentenced to cust. of Atty. Gen. for Eighteen (18) Months. (HDC-J)hm				
10-27	Order revoking probation, filed and entered. (HDC-J)hm				
10-27	Two c/c of above order delivered to U.S. Marshal. hm				
12-09	Return on Order re Deft. Butler, fld. Executed by taking custody of Deft. at Tulsa Co. Jail and delivered him to Fed. Med. Centre in Springfield, MO, on 11-17-77. Further executed on 11-28-77 by taking custody of Deft. at Springfield, MO, & delivering him to F.C.I., Texarkana, TX, on 11-30-77. v				
<u>1981</u>					
1-8	EXHIBITS returned to respective parties. am				